

Application No.: 10/730,915
Art Unit: 1724

Attorney Docket No. 21295.00
Confirmation No. 6686

REMARKS

By the present amendment, Applicant has amended Claims 1, 4, 5 and 20, and canceled Claim 2. Claims 1 and 3-20 remain pending in the present application. Claim 1 is the sole independent claim.

In the recent Office Action, the Examiner criticized Claim 2 as lacking proper antecedent basis for the term "pen-shaped body." In this regard, Applicant has canceled Claim 2 and incorporated substantially the subject matter thereof into Claim 1. Claim 1, as amended, is devoid of the grounds of criticism noted of record by the Examiner. Also, Claim 20 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In compliance with the Examiner's suggestion, Applicant has amended Claim 20 in proper Markush format. Claim 1 was separately rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by patents to Borkenstein (U.S. Patent No. 4,080,170) and Jackson (U.S. Patent No. 4,369,798). The Examiner indicated that Claims 2-20 would be allowable if rewritten in independent form including all of the limitations of the base claim and of any intervening claims.

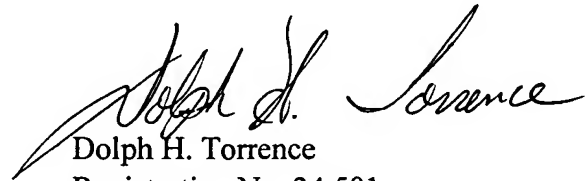
The Examiner's indication of allowable subject matter is noted with appreciation. In this regard, Applicant has amended independent Claim 1 to include the allowable subject matter of Claims 2. The dependency of Claims 4 and 5 have been changed to now depend from Claim -1-. For at least these reasons, Applicant respectfully submits that amended independent Claim 1 and corresponding dependent Claims 3-20 are allowable over the prior art of record.

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For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dolph H. Torrence".

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